HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.25865 OF 1997

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Between:

Arasavalli Sivannarayana and three others

……Petitioners

And

State of A.P., rep. by its Secretary,
Revenue (FF) Department,
Secretariat Buildings, Hyderabad

……Respondent

:: ORDER ::

Counsel for the Petitioners : Sri M.S.R. Subrahmanyam

Counsel for the Respondent : Government Pleader for Revenue

Dated: 26-07-2006

This is the second round of litigation by the petitioners in the matter of payment of pension under the Freedom Fighters Pension Scheme circulated by G.O.Ms.No.25, Revenue, dated 04-01-1979.

It is borne out from the record that Writ Petition No.13163 of 1989 filed by the petitioners and nine others was disposed of by the learned Single Judge on 20-09-1989 with the direction that the applications of the petitioners be disposed of within a maximum period of three weeks.

The grievance of the petitioners is that despite the unequivocal direction given by the Court, the competent authority has not decided their claim for grant of pension.

Learned Government Pleader for Revenue, on the basis of counter which is available with him, but which does not appear to have been filed in the Court, made a statement that the claim of the petitioners for grant of pension had been rejected as early as in 1991 and the same was conveyed to each of the petitioners vide Memo No.31793/FF(A) 91-3, Revenue (FF) Department,
dated 29-08-1991. He further says that subsequent representations made by some of the petitioners are under scrutiny and the same will be decided within a period of one month from today.

In view of the statement made by the learned Government Pleader, the writ petition is disposed of with the direction that the claim made by the petitioners for grant of pension in terms of G.O.Ms.No.25 dated 04-01-1979 be decided within one month. If the competent authority comes to the conclusion that the petitioners are eligible and entitled to get pension in terms of G.O.Ms.No.25, Revenue, dated 04-01-1979, then appropriate direction for release of the amount of pension be given to the concerned authority. If, on the other hand, the

petitioners are found not entitled to receive pension, then Secretary, Revenue Department should communicate the decision of the Government to each one of them at the end of one month's period.

G.S. SINGHVI, CJ

26-07-2006

svs